

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BARBARA DELUCA, DREW R. NAYLOR, and
PEGGY ROLLO, *on behalf of themselves and
other similarly situated limited partners*

Plaintiffs,

ORDER

-against-

19-cv-10498 (LAK) (JW)

GPB HOLDINGS, LP, *et al.*,

Defendants.

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JENNIFER E. WILLIS, United States Magistrate Judge:

On February 9, 2021, Judge Kaplan entered a Protective Order permitting the parties to designate any discovery they produce in this action as “confidential” so long as the documents “contain trade secrets, proprietary business information, competitively sensitive information, or other information the disclosure of which would, in the good faith judgment of the party designating the material as confidential, be detrimental to the conduct of that party’s business or the business of any of that party’s customers or clients.” Dkt. No. 110.

On October 5, 2021, Judge Kaplan granted Plaintiffs leave to redact certain information from the publicly-filed version of the Amended Complaint, Dkt. 132, on the grounds that such information was protected by the terms of the Protective Order. Dkt. No. 123.

On April 10, 2023, this Court granted requests from RSM US LLP and Crow LLP to: “(a) file under seal their unredacted briefs in support of their

motions to dismiss and certain exhibits marked “confidential” and/or previously filed under seal, and (b) publicly file redacted versions of their respective briefs, on the grounds that certain information had been previously sealed and/or marked “confidential” and subject to the Protective Order.” Dkt. No. 216.

On April 13, 2023, Plaintiffs requested permission to submit documents under seal. Because Plaintiffs’ Omnibus Brief incorporated and referenced information from Defendants’ papers that were previously sealed or subject to the Protective Order, Plaintiffs’ Motion to Seal was granted by this Court on April 26, 2023. Dkt. No. 221.

Now, Crowe requests leave to redact from its publicly-filed Reply Memorandum of Law references to any information redacted from the publicly-filed versions of the Amended Complaint, Plaintiffs’ omnibus brief, and Crowe’s Memorandum pursuant to the Protective Order and previously issued Sealing Orders.

This Court has previously granted leave to file under seal in similar circumstances. See, e.g., Kashef et al v. BNP Paribas SA et al, No. 16-cv-3228-AKH-JW (S.D.N.Y. July 8, 2022) (Willis, J.), Dkt. 358 (granting motion to seal documents pursuant to the parties’ stipulated protective order).

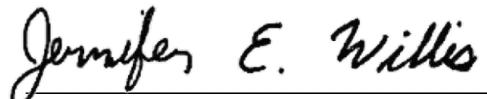
The Motion to Seal is GRANTED.

Crowe may redact from its publicly-filed Reply Memorandum of Law references to any information redacted from the publicly-filed versions of the Amended Complaint, Plaintiffs’ omnibus brief, and Crowe’s Memorandum pursuant to the Protective Order and previously issued Sealing Orders.

The Clerk of the Court is respectfully requested to close Dkt. No. 230.

SO ORDERED.

DATED: New York, New York
June 5, 2023



JENNIFER E. WILLIS
United States Magistrate Judge